

REMARKS

Reconsideration of this application is requested.

An Abstract has been provided.

A PTO-1449 listing the prior art mentioned in the specification, and not already of record, is being filed herewith together with copies of the listed references. The Examiner is requested to consider this art and make the same of record.

The Examiner's comments regarding the use of trademarks is noted. It is believed that all of the marks referred to in the specification are used in the manner referred to by the Examiner. However, if something has been overlooked, the Examiner is requested to advise.

Claims 4-8 have been amended to obviate the Examiner's objections as set out in Sections 5 and 6, page 3 of the action.

Preferences referred to in claims 6 and 7 have been deleted from these claims and made the subject of separate claims (new claims 14-16).

New claim 17 represents a composite of features from claims 1, 3, 4, 5, 6 and 7.

New claims 14-17 as well as amended claims 5-9 are thought to be in acceptable form and allowable over the prior art for the same reasons as noted below with respect to applicants' claims 1-4 and 10-13.

The Examiner is respectfully requested to reconsider the Section 102(b) rejection of claims 1-4 and 10-13 as anticipated by Michael, U.S. Patent 4,961,871. Michael does not disclose the applicants' invention as defined by claims 1-4 and 10-13.

Mores specifically, Michael relates to a powdered abrasive cleanser comprising: 0.1 to 10% surfactant, 10% to 95% water-insoluble abrasive material and 0.02% to 5% perfume, microencapsulated in an essentially water-insoluble material. Column 2, lines 17 to 22 of the reference refers to the water-insoluble material as encapsulating wall material which will retain its basic structural integrity when placed in water without appreciable mechanical action being applied. The microcapsules of Michael are prepared from gelatin and a polyanionic material by a coacervation process. This process results in the formation of a microcapsule having a discrete wall around emulsified perfume oil droplets. According to column 2, lines 64 to 67 of the patent specification, the microcapsules may be visualised as shown in Figures 1 and 2 of US 3,888,689 (copy attached). The applicants refer in particular to Figure 1 which clearly shows the wall structure of the microcapsules.

By contrast, encapsulates useful in the liquid detergent composition of the presently claimed invention are matrix encapsulates. Encapsulate systems fall into two main types, depending on the technique and the materials used to produce them. Specifically, there are encapsulates in which encapsulated material is surrounded by a wall or barrier to form a shell or capsule encapsulate, and there are encapsulates in which the encapsulated material, e.g. active material, is dispersed in a matrix of encapsulating material. Wall encapsulates are not equivalent to matrix encapsulates.

There is no teaching or suggestion in Michael of encapsulates having a matrix structure as required by the presently claimed invention, let alone a hydrated cross-linked anionic gum matrix. As noted above, Michael merely describes encapsulates having a wall structure.

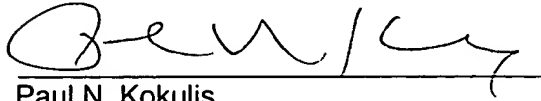
Michael's wall encapsulates are shear release encapsulates, generally retaining their basic structural integrity until abrasive mechanical action is applied. Such encapsulates therefore primarily rely on mechanical action to break the wall (see column 6, lines 6 to 8) and release the contents. By comparison, encapsulates useful in the liquid detergent composition of the presently claimed invention are dilution release encapsulates which are stable on storage yet dissolve on dilution of the product to release the active material.

In view of the foregoing, it is respectfully submitted that applicants' claims 1-4 and 10-13 are not anticipated by Michael and should be allowable thereover. The same is true with respect to the applicants' other claims as noted above.

All issues having been addressed, the application is thought to be in allowable condition and such action is requested.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Paul N. Kokulis
Reg. No. 16,773

PNK:mh
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455